



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov
DOW 07-02

Paper No. 7

E. JOSEPH GESS
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. BOX 1404
ALEXANDRIA VA 22313-1404

COPY MAILED

JUL 15 2002

OFFICE OF PETITIONS

In re Application of :
Rainis et al. : DECISION GRANTING
Application No. 10/047,015 : PETITION
Filed: 15 January, 2002 :
Attorney Docket No. 005950-720 :

This is a decision on the petition styled under 37 CFR 1.53(e) filed on 3 April, 2002, which is treated as a petition under 37 CFR 1.10(c) requesting that the above-identified application be accorded a filing date of 15 January, 2002, rather than the presently accorded filing date of 14 January, 2002.

Petitioner alleges that the application was deposited in Express Mail service on 15 January, 2002. In support, on 3 April, 2002, petitioner supplied a copy of Express Mail Label No. EL766105204US (the same Express Mail number found on the application transmittal letter accompanying the original application papers located in the official file). Although the "date-in" on the Express Mail label appears to be "1/14/02", the Express Mail label also contains a USPS postmark dated January 15, 2002. Furthermore, a search of the USPTO's USPS Express Mail Information Database reveals that this Express Mail Label No. was accepted by the USPS on 15 January, 2002.

In view of the above, the petition is granted. The petition fee of \$130.00 will be credited to counsel's deposit account, No. 02-4800 as authorized in the petition.

The application is being returned to the Office of Initial Patent Examination (OIPE) for correction of the filing date to 15 January, 2002, and for issuance of a corrected Filing Receipt.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.

Douglas I. Wood
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy